

REMARKS

The claims now in the case are amended claim 1, claims 2-15, 17-19, 21-36, 38-46, 48, 49, and currently amended independent claims 51, 52, and 53, and dependent claims 54 and 55.

Each of 1, 51, 52 and 53 independent claims has been amended to provide that there is the absence of a mask or slit in the detection system, and to define the spatial distance of the container array.

The examiner has indicated that claim 25 was allowable because it had the absence of a mask or slit and because it contained a limitation to capillaries as the container. It is believed claim 23 as previously amended is allowable since it contains both the absence of a mask or slit limit and as well the distance limit.

Claim 1 contains in its now amended version the limitation of the absence of a mask or slit in the detection system. The multiple containers are not necessarily limited to capillaries, but there is a limit of distance of at least 10 times the cross sectional distance of a container in the planar array of multiple containers as measured orthogonally to the to the plane of the planar array of multiple containers. This limitation to eliminate cross-talk comes directly from the specification at pages 14 and 15 which makes it clear that the system is one that is not necessarily limited to the requirement that the containers be capillaries, only. The problem of cross talk and stray light diffraction occur in container arrays other than capillaries. The importance here is the arrangement to eliminate the cross talk. In this regard the examiner's attention is directed to the specification at page 14, lines 3-34 and page 15, lines 1-9.

With the amendments here presented, claim 1 as currently amended and claim 23 as previously amended, should be allowable. Corresponding limitations from the specification at page 13 with respect to the distance of the positioned planar array of multiple containers are also presented for independent claims 51, 52, and 53. They are therefore likewise allowable for the same reasons.

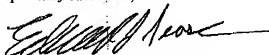
Turning next to the formal objections. The amendments to the claims here presented obviate the examiner's 35 U.S.C. § 112 objections. The term "or spacer" has been eliminated from the claims, leaving the objection to claim 1 moot. Likewise, claims 51-53 which were rejected under 35 U.S.C. § 112, second paragraph for functional definition of spacing, no longer

contain the functional phrasing to describe distance. Instead they now contain precise distance measurements as provided in supporting written description of the specification, page 13-15.

There being no further objections, and the examiner's prior art rejection having been overcome by the amendments here presented, it is submitted that all claims are now allowable, in accordance with the reasoning of the examiner set forth in paragraph 9 of the last action for allowability of claim 25. That being the case, all claims are now *prima facie* allowable and a notice of allowance is respectfully requested as early as possible. Applicant's attorney will appreciate the examiner's prompt response.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Respectfully submitted,



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